

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION

JOEL CLEARY, M.D., individually and
on behalf of all others similarly situated,

Plaintiff,

v.

RETIREMENT PLAN FOR
EMPLOYEES OF NORTHERN
MONTANA HOSPITAL,
ADMINISTRATIVE COMMITTEE OF
THE RETIREMENT PLAN FOR
EMPLOYEES OF NORTHERN
MONTANA HOSPITAL, DAVID
HENRY, KIM LUCKE, BONNIE
O'NEILL, and NORTHERN
MONTANA HOSPITAL,

Defendants.

Case No. 4:16-cv-00061-BMM

ORDER

In the parties' Joint Status Report and [Proposed] Order filed June 5, 2018 (ECF No. 133), the parties' informed the Court that they had reached agreement on a settlement in conjunction with a May 24, 2018, mediation with Magistrate Judge Lynch who had then ordered that the parties submit to this Court a settlement agreement and proposed order preliminarily approving that agreement by June 15, 2018, and that Plaintiff be paid the agreed amount of his pension benefits by June

25, 2018. See ECF No. 131. The Joint Status Report and [Proposed] Order included a request that those dates be extended to July 16, 2018, and July 25, 2018, respectively. The Court granted the extension via Order dated June 7, 2018. (ECF No. 134).

Subsequently, the exchange of initial drafts of a Settlement Stipulation by the parties revealed a disagreement as to the exact parameters of what had been agreed to at the mediation. This was followed by an exchange of emails, then letters to Magistrate Judge Lynch and then a telephone conference with Magistrate Judge Lynch. This resolved the disagreement for the most part but significant tinkering with the document by the parties ensued.

In addition to the Settlement Stipulation itself, the language of which has been agreed to for the most part except, perhaps for some more tinkering around the edges, various exhibits to that document have been drafted and remain to be finalized – these include the Notice that is to be sent to all of the people who will receive money and the [Proposed] Final Order and Judgment approving the settlement. We can inform the Court that the parties have reached agreement on the amount of money that is to be paid to the named Plaintiff as well as to each of the other 188 people included in the settlement.

The parties are confident that all of the necessary documents will be completed by July 30, 2018, and therefore respectfully request that the Court

hereby extend the deadline for submission of the Settlement Agreement and [Proposed] Order to July 30, 2018, and the deadline for the payment to Plaintiff to August 8, 2018.

Dated: July 12, 2018

KELLER ROHRBACK L.L.P.

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Dated: July 12, 2018

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Attorneys for Defendants

DATED this 19th day of July, 2018.



Brian Morris
United States District Court Judge